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STATE OF ILLINOIS ILLINOIS COMMERCE COMMISSION

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State of Illinois Department of Transportation, Petitioner, v.	Illinois Commerce Commission PAIL SAFETY SECTION))
Toledo, Peoria and Western Railway Co. (TP&W) and the City of Watseka Respondents.))Docket No. T00-0082))
Petition (1) to install a pre-signal on the northbound approach of IL 1 of the at-grade crossing of TP&W's single main line track, (2) to interconnect the newly installed traffic signals at the intersection of IL 1 and U.S. 24 with the railroad warning devices at the IL 1 at-grade crossing of the TP&W single main line track and (3) to establish the amount of minimum preemption time provided by TP&W to the Department for the traffic signal preemption sequence at said intersection, located in Watseka, Illinois.))))))))))

PETITION FOR THIRD SUPPLEMENTAL ORDER

NOW COMES the State of Illinois, Department of Transportation (the "Department") and petitions the Illinois Commerce Commission for a supplemental order granting an extension of time to complete work ordered in the above cause of action and in support of said Petition states:

- 1) On November 21, 2000, the Illinois Commerce Commission entered an Order regarding the above described subject matter.
- 2) Pursuant to the November 21, 2000 Order, the Department was to complete the installation of pre-signals south of the IL 1 at-grade crossing and the installation of an over head traffic signal on the railroad cantilever by November 21, 2001.
- 3) On October 22, 2001, Petitioner, Illinois Department of Transportation ("Department") filed its Supplemental Petition requesting an extension of time until November 21, 2002, to complete the project. Said petition stated the Department and Toledo, Peoria & Western Railway Company ("TP&W") had not completed the work required by the Commission, due to the site-specific constraints in the placement of

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crossing warning devices, which required additional consideration by the Commission's Railroad Section Staff.

- 4) On December 5, 2001, the Commission entered its Supplemental Order herein granting an extension of time to and including November 21, 2002, to the Department to complete its portion of the work required by the original Order of November 21, 2000.
- 5. The Department has significantly completed the aforementioned work; however, a small portion remains undone. More specifically, the Department still needs to connect the newly installed traffic signals to the railroad warning system and to test the interconnection, however this work cannot be completed until the TP&W completes it's portion of work.
- 6. It is the Department's understanding that the TP&W will not complete its work for another two to three months; therefore the Department does not anticipate complete installation by November 21, 2002.

WHEREFORE, the Department prays for an extension of time until February 21, 2003, to complete the work ordered in the November 21, 2000 Order, as amended.

Respectfully submitted, ILLINOIS DEPARTMENT OF TRANSPORTATION

By: Jim Ryan

Attorney General

Stacey C. Hollo

Special Assistant Attorney General

Dated Nov. 1, 2002

Illinois Department of Transportation 2300 South Dirksen Parkway, Room 311 Springfield, Illinois 62764 Telephone (217) 782-3215

STATE OF ILLINOIS ILLINOIS COMMERCE COMMISSION

Department of Transportation, Petitioner, v.))))	
Toledo, Peoria and Western Railway Co. (TP&W) and the City of Watseka Respondents.	,) Docket No. 1)))	ī00-0082
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NOTICE OF FILING		<u> </u>

TO: Michael Hainds, TP&W Arthur T. Horner, Mayor Diane Tegtmeyer, City Clerk

PLEASE TAKE NOTICE that I have this 1st day of November, 2002, forwarded to Mr. Kevin Sharpe, Director of Processing, Transportation Division, of the Illinois Commerce Commission, Springfield Illinois, for filing in the above matter, a Petition For Third Supplemental Order, a copy of which is attached hereto and hereby served upon you.

Stacey C. Hollo

Special Assistant Attorney General 2300 South Dirksen Parkway

Room 311

Springfield, Illinois 62764

(217) 782-3215

Counsel for the Illinois
Department of Transportation

PROOF OF SERVICE

The undersigned hereby certifies that a copy of the foregoing instrument was served upon the addressees listed below by mailing a true and correct copy via first class mail, postage pre-paid and depositing the same in the United States Mail,

Springfield, Illinois, this 1st day of November, 2002:

Michael S. Hainds Toledo, Peoria & Western Railway 1990 E. Washington Street East Peoria, IL 61611

Arthur T. Horner, Mayor City of Watseka 231 E. Oak Street Watseka, IL 60970-1345

Diane Tegtmeyer City Clerk 231 E. Oak Watseka, Illinois 60970